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LOVERY MENT SEEKS TO BREAK IP TRUNK LINE COMMITTEE.

action against the Western Railroads simed at the Agency by Which They Fis Rates It's an Anti-Trust Law

Proceeding and Will Be a Long One. Washington, June 1.-The real scope dings which the Attorneyhas begun against twenty-five middle West has been The obtaining of an injunesige Dver at Hannibal, Mo. restrain the railroads from cutting into effect increases in rates was only incidental to the main proceeding. which the Attorney-General St. Louis seeks the dissolution of the Western Trunk Line Committee, the medium through which the twentyhave made their uniform percases, and thus indirectly affects similar committees and associations throughout the country which have been used by the railroads in the matter of

fixing rates The suit begun against the Western Trunk Line Committee and the twentyfve railroads in the middle West is similar in character to that which the Depart. ment of Justice began against the Harriman merger and against the Northern Securities Company. The Attorney-General holds that the Western Trunk Line Committee, in the matter of fixing the increased rates, is a combination in violation of the Sherman anti-trust law and as such ought to be dissolved.

The trial of this suit means the appoint ment of a master, the taking of an immense amount of testimony, as in the Harriman merger suit, and a fight in the ourts which will probably last for several years. The obtaining of the injunction was merely a move on the Attorney-General's part to prevent the increased rates from being levied upon shippers ending the trial of the suit in equity dissolve the Western Trunk Line Com-

There is a possibility that the railroads my be taken to task by the Department Justice on another score. Western appers were charging to-day that the geds in making these increases had lated the general injunction issued he Circuit Court and sustained by s Supreme Court in the transmissouri o case of several years ago. That innotion, it is contended forbade the roads from making any combination the sort that is now charged and if the overnment is successful in its suit to ssolve the Western Trunk Line Comtee un attempt will be made to punish railroads for contempt of this in-

As to the temporary injunction which e Department of Justice has already nined restraining the railroads from outting their new rates into effect, the stroney-General intends to put it up t the railroads to show why this injuncshould not be made permanent e Attorney-General already has availed mself of the expediting act to take the unction proceedings automatically the District Court before three Judges the Circuit Court. The Attorney-

til the railroads step in and try to show

the injunction should be dissolved. was an unusual proceeding," said the application for an injunction. "It in the case. It appears to me that the hippers have excellent ground for comiant, for it seems obvious that there piece of candy from a basket pedler. as a combination among those twentyte roads to raise their rates in concert." I was apparent from what the Attorneyneral had to say of the case to-day it the Department of Justice did not mp into the fight without considerable beration. The Attorney-General bean to plan for the blocking of the inwased rates and the suit for the dissolu on of the Trunk Line committee last relay after he had had a talk with Renreentative Hubbard of Iowa. The Aterney-General sent to the Interstate erce Commission and obtained affiwith showing the circumstances of the ing of notices. Having accumulated the necessary information he ordered he of his assistant attorneys, Edwin P. brosvenor, to start for St. Louis on Sun my night Mr. Grosvenor went, with in application for a temporary injuncion in his pocket. Mr. Grosvenor already tax in St. Louis with the petition when

the large delegation of Western shippers

tailed on the Attorney-General Monday

afternoon to ask him to act. in speaking of the case to-day Mr. okersham explained that he had deemed advisable to keep from the railroads knowledge of the place where the suit has going to be filed. Otherwise the have postponed the issue of the restrainason the Attorney-General gave the neighbors and tradespeople." Plippers up definite answer in their pubbearing before him on Monday. Standard Oil and other cases. k and determined action on the Attorney-General has trinet of no little comment cultroad men. They complain www.necks.ago the Taft Admir.standing stanchly behind o the pending railway bill fle agreements. The rail-I that the action through Trunk Line Committee than was authorized in the measure The traffic was dropped from the for the insurgents and the Senate had wrangled for The railroad officials say provision in the law as delivered by President Roosevelt they were led to traffic agreements would or the ban of the Sherman They have been startled 7 their balance by this

see on Second Page.

Eric Ratirond Rechristens the Station

and the Villagers Are Angry. MIDDLETOWN, N. Y., June 1.-Once LAST CHARGE ON BLUEFIELDS again the Erie railroad has changed the name of the old village of Turner and

schristened it Harriman

Mary Harriman was married to Charles Rumsey, the Erie took down the old signboard on the station at Turner and eplaced it with a new one marked 'Harriman." Orders were also given the trainmen to call out "Harriman" when trains reached Turner. A vigorous protest went up, and twenty-four hours later the Harriman signboard was taken in the place it had occupied for half a Turner" to passengers.

Some time last night-one man says it was at 2 o'clock this morning-railroad men again nailed the Harriman signboard to the old station and took down the furner sign. The new sign greeted the villagers this morning, and they were wroth, to say the least, as they believed the Erie had given up the attempt to force

the new name upon their village. The mass meeting which is to be held at Turner Saturday night is being boomed Addresses will be made by the Rev. Father MacAran, Bryan G. Hughes and Peter Turner, for whose grandfather the village was named seventy-five years ago. The protest will be a loud one and resolutions condemning the change in name will be sent to Congress, the Eric Railroad Company and the Public Service Commission

BROWNE MUST STAND TRIAL Court Upholds Indictment in Lorimer Helbery Case.

CHICAGO, June 1. - State Representative Lee O'Neff Browne of Ottawa must stand trial in the Criminal Court of this county White, also a member of the Illinois Legislature, to vote for William Lorimer for United States Senator.

Judge McSurely in a long decision refused to-day to quash the indictment, and followed up his decree by overruling Lara held a council of war with Gen. all motions for delay and setting the case for trial next Monday. Representative Browne was promptly

arraigned and pleaded "Not guilty." WASHINGTON, June 1.- The resolution offered by Senator Lorimer of Illinois providing for an investigation by the Senate of the charge that his election resulted from bribery and corruption was reported to the Senate to-day by Senator Kean on behalf of the Committee on Contingent Expenses. Senator Kean submitted the resolution without comment, and it was immediately referred to the Committee on Privileges and Elections, where Senators now admit that

it should have gone when first introduced. The Senate Committee on Privileges and Elections will not act on the resolution introduced by Senator Lorimer, which only calls for an investigation of newspaper charges. It is understood by nembers of the committee that formal charges against Senator Lorimer have these written accusations will reach the Senate during the next few days. these charges arrive the committee will take notice of them, recommending to the Senate that the investigation as to Senator Lorimer's title to his seat be

GIRL BEFRIENDS A PEDLER.

Sees Him Mauled by a Switchman and Carries the Case to

Miss May Murphy, a stenographer employed at 350 Broadway, got off the Attorney-General to-day, speaking subway with her suit case at Fourth avenue and Thirty-third street last night es unusual, but I believe that we will near the car barns of the Metropolitan Street Railway. There she saw a switchman employed by that company take a

The pedler, Morris Josephs, 17 years old, of 100 Elm street, objected and the switchman struck him in the forehead, sending pedler and basket spinning.

Miss Murphy ran to the East Thirty fifth street police station, leaving Josephs to mind her suit case, and got a policeman The switchman, Eugene Conroy of 456 West Forty-ninth street, was taken to the station house charged with assault

In the night court the charge was changed to disorderly conduct. Minn Murphy appeared and employed a lawyer to prosecute the case. Josephs told Magistrate Krotel of a long series of candy thefts which Conroy had been ommitting all afternoon, which Conroy denied. He paid a \$6 fine

WOMAN'S TONGUE ENJOINED. Court Also Prohibits Her From Writing and Mailing Postcards.

BOSTON, June 1 .- A temporary inunotion, agreed to by the defendant, was granted to Mrs. Amelia M. Chaplin of Dorchester against Mrs. Katherine M. Belmont of the South End by Judge Richardson in the Superior Court to-day. Mrs. Belmont is restrained from com-

municating with Mrs. Chaplin, her hus wis might have appeared and argued band and their four children or visiting at the temporary injunction should their home, except upon 'necessary or asue without a hearing. This would lawful business." She is also restrained from "circulating or causing to be cir-Exorder until after June 1 and the rates culated untruthful, slanderous and inhave gone into effect. For this sulting statements among Mrs. Chaplin's

Mrs. Chaplin has alleged that Mrs. The | Beimont had insulted her in her home and ieneral selected a court in in the street and had written to her and Luran Judicial Circuit for the suit, to her children slanderous and otherwise in that circuit the Sherman anti- objectionable postal cards and letters as received its fullest interpre- reflecting upon her husband in an attempt to have her children lose respect for their father

> CHILD AND POLICEMAN BURNED Girl Running From Bonfire With Clothes Aftame Finds Belp.

Boys lighted a bonfire in a vacant lot off Union avenue, The Bronx, yesterday afternoon. Among the children who watched was ten-year-old Gertrude Sater of 982 Union avenue. She stepped too close to the flames and her dress caught Before the boys had a chance to help her she ran down the street scream-

ing.

Bicycle Policeman Webster stopped her and put out the flames by throwing his coat around her. She was taken home so badly burned that Dr. Bower of Lebanon Hospital said that she may not recover. Webster was relieved from further duty. His hands and arms were scorched

June 5, 4, 5 and 6, Pennsylvania Railroad.
Tickets good to return until June 19. See Ticket
Agents. Adv. 886.40 TO ST. LOUIS AND RETURN.

REAL MEANING OF R. R. SUIT TURNER IN HARRINAN AGAIN. ARMY OF MADRIZ CRUSHED

ENDS IN UTTER ROUT.

One week ago, on the day that Miss Great Cry Goes Up From Nicaragua for the U. S. to Take Charge of a Fair Election Sad Plight of the Defeated - Helletum of Joy in Extenda's Capital

Special Cable Downsteh to THE SUR. BLUBFIELDS, June 1, by Wireless to lolog.-Beaten in every attack he directed against his enemy's citadel, his down and the Turner signboard put back forces decimated by disease and bullets, Gen. Lara, the Honduran General, is century. The trainmen again announced leading to-night, what remains of the Madriz Government's army south to its base of supplies at Rama.

> The retreat, which almost amounts to a flight, began this forenoon after Lara had sent his discouraged army at the Estrada trenches in front of Bluefields in a last desperate effort to recoup the defeats of the last two weeks.

There was only one charge. Lara's forces, almost en masse, rushed Estrada's earthworks. They were allowed to come almost within stone's throw of the trenches, when the American gunners turned loose their terrible rapid fire guns on the charging soldiers.

The first fire threw Lara's troops into onfusion, and as they wavered between a second charge and flight the Estrada soldiers clambered from their ditches and charged into the frightened enemy.

Fighting of the flercest sort ensued It was knife against knife, gun butt against gun butt until, beaten beyond on the charge of having bribed Charles hope of recovering their front of attack, the Madriz troops fled from the field, leaving scores of dead and wounded, while many were taken prisoners.

Immediately following the last sortie Arias, personal representative of Madriz, and Altschul, the "consul-general" for Madriz in New Orleans. The result was the determination of the Madriz commanders to retreat. Their decision was was going to send his troops out to meet the Madriz soldiers in open battle. This would doubtless have meant the complete away to a destination which nobody demoiition of the forces of Zelaya's politiheir, because in their weakened ondition they never could have withstood the attack of Estrada's comparatively fresh army.

Speculation as to what will be the outome of Madriz's retreat almost overshadows the abandon of the populace of Bluefields in its celebration of the victory. It is rumored on the streets and at Estrada's headquarters that protectorate in Nicaragua and order an election for the Presidency. Inasmuch en made by Illinois citizens and that as it has been established that neither of the contenders for supremacy in the republic can successfully carry on a campaign in the enemy's territory it is felt that the United States must step in floor. He immediately replied by offering and restore order in the country. It is the property for sale. Since that time stronger power interferes, for guerrilla warfare might go on for years between roving bands of the rival factions.

The siege of Bluefields has cost Madriz hundreds of lives. He has been beaten practically as badly as Estrada's armies under Chamorra, were worsted on the Pacific side of the republic in January Scores of wounded were abandoned in Lara's camp, while many corpses were left unburied.

It is reported from Rama to-night that Gen. Chavarria has been defeated by Gen. Luis Mena, Field Marshal for Estrada. Chavarria is said to be leading his troops in retreat to effect a junction with Lara's army.

Bluefields is en fête to-night in celebration of the Estrada victory. The defeat of Lara is particularly satisfying, because Lara is a Honduran and 500 of Madriz's troops were from the Honduran army. Military bands played in front of the the atreets.

Among other rumors circulating it is said that Washington had assured Estrada | seriously hurt. that if he held his capital against Madriz ! the United States would establish a protectorate and guarantee a fair election. The fact that 1,000 more marines are to ome here from Colon on the Prairie is taken to lend color to this report.

he end of the war and a fair election. of another candidate without protest.

NEW OBLEANS, June 1. Telegrams from Lara's army met with heavy losses in trying to break through the revolutionist the floor casing.

His heavy losses and the boggy character of the land during the rainy season as well as lack of provisions compelled Lara to retreat, leaving many dead and wounded on the field of battle. The defeatedarmy, it is thought, is trying to make its way to Greytown or San Juan del suffering greatly.

A strong petition will be sent from Estrada could not capture Managua and crush the other and that the only chance Bradfield. Their arrests followed. of putting an end to the ruin of the present civil war is by American intervention.

WOMAN TO RIDE 5,420 MILES. One Gets Two Months and Another Four Young and a Cossack She Will Have Only Her Peny and Dog as Companions.

Special Cable Despatch to THE SUN. ST. PETERSBURG, June 1 .- A young Cossack woman of the name of Kuda sheff has started to ride from Harbin, Manchuria, to St. Petersburg on a Mongolian pony, accompanied only by a St. Bernard dog and armed with a knife and revolver.

The distance she will have to travel is

NEW TRAIN TO FITCHBURG, MASS. VIA N. Y., N. H. & E. R. R. Beginning Juse cave Grand Central Terminal daily except Sun 302 P. M. arrive Fitchburg 10:33 P. M.—Ad

MAYOR GOING TO FLY?

Hempstead Plains Hears That He Will Make an Aerial Trip With Harmon.

It was told and believed yesterday or the Hempstead Plains that Mayor Gaynor had accepted an invitation for a flight with Clifford B. Harmon in his aeroplane. The motor in Harmon's machine has been acting in a cranky way of late, but it was said that when it is running all right again a time will be set for a flight with the Mayor by Harmon's side.

In a wind blowing at a rate of fifteen miles an hour Capt. Thomas S. Baldwin made four short aeroplane flights over Hempstead Plains late yesterday afternoon. The wind was so strong that in flying against it he had some difficulty in leaving the ground, but as soon as he produce Lady Cook in court. Mrs. Spar reversed his course he rose to an altitude alleged that they had separated Lady of fifteen or twenty feet and kept his Cook from her relatives and friends, machine under good control.

Charles K. Hamilton, Clifford B. Harmon and Joseph Seymour were present, but they did not attempt to make flights. It was found that in shipping the Hamilton machine here from the South its covering had been considerablyldamaged and would have to be replaced. Neither Harmon nor Seymour had his aeroplane brought

It is understood that a \$10,000 prize already five machines available for the Glenn H. Curtiss, Hamilton, Seymour. Baldwin and Harmon would undoubtedly compete. Philip Wilcox, Frank Van Anden and Charles Fairchilds all have machines about ready to fly. was remarked yesterday that with these machines a number of interesting races could be planned.

Hamilton announced that he is ready to start from New York to St. Louis for the \$30,000 prize as soon as the conditions are formulated. He suggested that it might be possible to try for the prize from New York to Chicago. Harmon thought the conditions should be made as easy as possible on account of the great distance entailed

CANFIELD'S CLUBHOUSE EMPTY All the Gambling Paraphernalia Shipped Away From Saratoga.

Sanaroga, June 1.-Dick Canfield's famous Saratoga clubhouse was emptied hastened perhaps by the word that Estrada of its gambling paraphernalia to-day and a carload of roulette wheels, faro tables and poker chips was shipped authority wanted to divulge but which is generally believed to be Mexico. After the final table had been removed from the clubhouse the doors and windows were nailed up and inquirers were given to understand that Canfield would never make an attempt to open the place again.

The clubbouse was made famous years ago by Morrissey and Spencer, later passing to other hands and finally to Canfield, who spent \$500,000 on the grounds and Washington will immediately set up a a new restaurant. For several years that he would have to take the tables from the big gaming room on the first He immediately replied by offering certain that fighting will not cease unless the gambling apparatus has remained in the buliding, but for two seasons the restaurant and clubhouse have been shut tight

Early this week his local manager received word to box up all the gambling not been in the limelight. The sisters goods and ship them immediately. It took three days to get them ready. To- being 80 years old. Victoria is 72 and night for the first time since the days of Lady Cook is several years younger. Chartie Reed the big clubhouse is empty.

DOV ATWELL ARRESTED. Crushed Elevator Man Blames the Actor and Herbert S. Bradfield

Roy Atwell, an actor recently in the Chicago "Seven Days" company, and Herbert S. Bradfield of 59 West Forty-fourth street were arrested last night and locked up in the East Sixty-seventh street police station on a charge of felonious assault.

Michael Sullivan, an elevator man in the apartment house at 1046 Madison avenue, said that the two had pushed him American consulate this evening, while half out of the elevator when he was victorious soldiers and citizens paraded taking them to the fourth floor of the house, causing him to be caught between the floor and the side of the elevator and

It was said at the Presbyterian Hospital that Sullivan might die. His pelvis is fractured and he has internal injuries. He is 60 years old.

According to the story Sullivan told the police at the hospital Atwell, accompanied The Estrada Government will welcome by Bradford and Mrs. Bradford, called at the apartment house about 10 o'clock Estrada says he will step down in favor and wished to be taken up to the fourth floor, where they were to visit John Gleason. Just before the elevator reached Bluefields announce the eretreat of the the level of the fourth floor, so Sullivan Medriz armies, the one under command said, Atwell reached out and knocked his of Gen. Lara before Bluefields and the hand from the controlling lever, at the other under Gen. Chavarria at Rama, same time pushing him through the door, which he had already haif opened, against

The elevator stopped when Sullivan's outside, then it gradually began to drop. Bradfield shut off the power. Mrs. Bradfield was first lifted out of the car to the floor above, and then a Mr. Hook, whose apartment is on the fourth floor, assisted Bradfield in releasing the elevator man. Norte, but it is short of provisions and Atwell ran into the street screaming for

the police. After Sullivan had been taken to the Nicaragus asking the intervention of the hospital detectives found Atwell asleep United States so that a fair election can on a couch at the apartment house. Both he held to decide who shall be President. Atwell and Bradfield were taken to the It will call attention to the fact that Presbyterian Hospital, and there the wounded elevator man pointed Atwell Madriz could not capture Bluefields as out as the man who had been responsible proof that neither is strong enough to for the accident. He also implicated

> JAIL FOR PITTSBURG BANKERS. for Bribery.

Perryagno. June 1.-E. H. Jennings, president of the Columbia National Bank, was sentenced to-day to pay a fine of \$500 and to serve two months in the good and to serve two months in the county jail and F. A. Griffin, former vice-president of the same institution, was ordered to pay a \$500 fine and to serve four months in jail.

Both the men had been convicted of

bribing Pittsburg Councilmen. Both had turned State's evidence. District Attorney Blakeley interceded for them with the Court, saying the information they gave chauffeur was locked up charged with him had been valuable in other cases.

GOT A WRIT FOR LADY COOK

SISTER OF TENNIE OLAFLIN SAID SHE WAS OLD AND FEEBLE

And Separated From Her Relatives by in It-Cree May Be Withdrawn.

Mrs. Mary Spar, sister of Lady Cook (Tennessee Claffin) got a writ of habeas corpus yesterday from Supreme Court Americans in the work. Justice McCall returnable to-day directing John Floyd Hume and his wife, Mabel Hume of 10 West Sixty-first street, to and that Lady Cook is "advanceed in years and feeble, and possesses large

Mrs. Spar alleged that the Humes keeping Lady Cook confined at their home under their influence and power because she is not of sufficiently strong mind to withstand the same, and asserted her belief that they had acquired conis being arranged for a Fourth of July siderable property from Lady Cook alexhibition at Garden City. There are ready, in addition to obtaining her signature to documents and papers, the contents of which were unknown to the petitioner. She declared that her sister does not know or realize the consequences. and said she feared the Humes would remove Lady Cook from the jurisdiction.

Lady Cook said last night in the Hume partments in the Passadena, at 10 West Sixty-first street, that her sister's action in suing out the writ of habeas corpus was all a great mistake and was due to her advancing years.

"She is over 80 years old," said Lady Cook, "and imagines because my automobile broke down and I couldn't get over to Brooklyn to see her that I am not able o go. It is all very ridiculous to any one who knows me. I receive all my friends here, and of course I come and go as i please. I never go out in my car unless Millard Spar, my sister's son, is along, and he is my business adviser.

Mr. Hume said that through the interession of Mrs. Spar's son, Millard, Mrs. Spar decided late yesterday afternoon not to proceed with the habeas corpus case, and had signed a stipulation releving the Humes from appearing in He said that Lady Cook for some court. time has made her home with himself and his wife while she is in this country and that her sister has always been able o see her when she chose. Millard Spar. the son, is at the house almost daily, he a week ago on this last visit.

Mr. Hume said that Mrs. Spar's son attends to most of Lady Cook's business matters for her and that he is conversant with everything she does with respect the authorities dealt leniently with him to her property. When her husband, and he was permitted to run when other Sir Francis Cook, died, in 1901, he left her places of a similar kind were shut up. \$125,000 outright and the life income on Three years ago, however, he was told \$250,000, in addition to the use of a house in England.

Mrs. Hume was an actress and wes at pany. She has accompanied Lady Cook frequently on her trips abroad.

While Lady Cook and her sister, Vicoria Woodhull, now Mrs. John Biddulph Martin of London, have been before the public for many years. Mrs. Spar has were all born in Homer, Ohio, the oldest Their parents were poor and Victoria was married at 14 to Dr. Canning Woodhull, who was twice her age. They did not get on well and Victoria went into spirit ualism, got a divorce and married Col.

James H. Blood. In 1989 Victoria, Tennessee and Col. Blood formed the Wall street firm of Woodhull, Claffin & Co. and published Woodhull and Clastin's Weekly. The sisters started out on a woman suffrage campaign at about that time and in 1876 Mrs. Woodhull "ran for the Presidency The sisters went to England in 1876 and in 1881 started Woodhull and Claffin's Journal there. The sisters both married there in 1885. Victoria becoming the wife of a banker, and Sir Francis Cook, Tennessee's husband, being a merchant. Victoria seldom comes to this country, but Lady Cook is here several times a year. and usually has something to say about woman suffrage.

THIEF CHASE ON THE DRIVE petective Knocks a Pickpocket Senseless After Pursuing Him With a Gun.

While he was standing at Broadway nd 112th street last night Detective Mc-Cullough saw a big negro edge up to an elderly man and take something from the man's pocket. The elderly man yelled and McCullough ordered the negro to stop. The negro ran down 112th street with McCuloough after him.

The detective fired a shot into the air but the thief kept on. At Riverside Drive he turned south and McCullough fired body became wedged against the floor four more shots. Persons on the drive joined the chase. Finally the detective overtook the thief at 108th street. grappled with him and the two rolled in the street. The detective drew his

club and knocked the negro senseless Soon afterward the man who had be robbed appeared and said he was John Clark of 451 Ninth avenue. He identified the watch and chain found in the negro's pocket and said that it was worth

The prisoner, Jacob Hampton West 135th street, was looked up at Headquarters.

AUTOMOBILE DRAGS HIM. William Cugle, 61 Years Old, Seriously Hurt in Long Acre Square.

William Cugle, 61 years old, manage for the Howard Dressmaking Company at Thirty-fourth street and Madi avenue, was struck by an automobile at Broadway and Forty-third street last night. His clothing caught in the crank and he was dragged some distance. He was taken to Flower Hospital in a serious condition from bruises and the shock. The chauffour, George Risard, of 528

Seventh avenue, said that the car was his own. The police found that the number was registered as that of George Hoisen of 22 Love lane, Brooklyn. The chauffeur was locked up charged with

CONSENT TO RAISE THE MAINE.

President Gemez Speaks for the Cubar Government and Ptedges Help.

Special Cable Despatch to Tun Sun. HAVANA, June 1 .- Responding to John Floyd Hume Lady Cook Says Department through Mr. Jackson, the Sister is Older and There's Nothing American Minister, President Gomez says that Cuba willingly authorizes the raising

of the wreck of the battleship Maine. The President says the Cuban Government will give every assistance to the

PIETY DOLLAR PLASTER.

Wife Applies It to Husband's Back Not knowing it Had a Bill Sticking to It. issue a \$50 bill. A week ago a merchant of this city on retiring for the night left but after heating it accidentally dropped it on the dresser. In picking it up she did not notice the \$50 bill clinging to it

and applied it to her husband's back. porous plaster and the bill was found sticking to it so firmly that it could redemption.

FOR THE EXTRA SESSION.

Mayor Would Like to Have the Eleventh Avenue Track Bill Passed. Mayor Gaynor wrote yesterday to

orporation Counsel Watson: "The Legislature having adjourned the tracks of the New York Central Railroad Company on the west side of the city and on Eleventh avenue, not withstanding the effort we made to obtain such legislation, would it not be well to see if the Governor would bring it before the extra session which is to be called?"

PRIEST REFUSES REMARRIAGE. Considers Them One.

PAWTUCKET, June 1.- Last March Mrs. Robert Berndt, wife of a wealthy contractor of this city, got a divorce on the ground of extreme crueity.

said. Lady Cook came here from England | Father Lowney of St. Joseph's Church | the pump room, twenty-five feet or so refused, declaring that the ceremony going day and night to keep water from could give them his blessing, he said, after casing is permeated with oil. which Mr. and Mrs. Berndt departed for

their summer home at Shawomet Beach. Immediately after her divorce Mrs. Berndt resumed her maiden name, Eva C. Cheetham, and went on the stage in New

3.000 TROOPS TO THE FRONT. Peru Sends Infantry, Cavalry and Artillery to Frontier of Ecuador.

Special Cable Despatch to THE SUN LIMA, June eceptance by Ecuador of the conditions made by the United States, Argentina and Brazil in their offer to act as arbitrators of the dispute between Ecuador and Peru, the latter country is still sending

troops north This afternoon 3.000 infantry, cavalry and artillery started for Payta.

RROADWAY REALTY DEAL?

Thirty-sixth Streets Has Been Sold. block bounded by Broadway, Seventh the Mott avenue station. avenue, Thirty-fifth and Thirty-sixth streets has been acquired by a syndicate frightened trainload. of capitalists and real estate operators as a site for an office building. It was found in the Mott avenue station because said that the syndicate had already pur- it is reached by an elevator and the ticket

Square Theatre and adjoining it on Thirty- operator, brought his car down to the fifth street is the Hotel Stuyvesant, which level of the station. was sold several days ago by Edwin Gould as the head of the Five Boroughs

Realty Company to a nominal owner. The Broadway frontage is owned by Charles E. Johnson. When seen yesterreport. His brokers said that they heard thought the report would prove as lacking in substance as similar reports circulated The deal will involve about \$10,000,000.

TWO MORE POLICE SLEEPERS. Patrolmon and Sergeant Caught Napping on a Tip From the Mayor.

coording to the report.

This statement was issued from Mayor Saynor's office last evening:

On notice from the Mayor that policeen in the Twenty-second precinct were in the habit of leaving post and sleeping in certain places the Police Commissioner caused watch to be kept and found Patrolman Peter Hogan absent from his post and in the watchman's house on the pier at the foot of West Thirty-fourth street, North River, on the morning of May 28 and the collision came. The passengers between 3 and 4 o'clock, and also found Bergt. John W. Toomey of the same pre-

Fannal Naturalist Shoots a Whale, Capt. Rasmussen of the fruit steame José, which arrived last night from Port Morant, reports having passed a school about thirty miles south of whales

DEWEY'S OLD BURGUNDY. POR STOMACH TROUBLES take Horsford's The Scale routs to the North and West is via A great blood maker, cld Phosphate. Produces healthy activity of the Day Line Strs. Thru rall tickets accepted. H. T. Dewer & Sons Co. 128 Fulton St., New York

HURT IN HARLEM TUBE SMASH

FIRE AND COLLISION JUST BEYOND THE RIVER.

PRICE TWO CENTS.

equest made by the American Navy Smoke From a Blaze in the Pumpreen Had Filled the Tunnel and a Train Ran Into Another in Mott Avenue

Station-Fifteen Who Were Hurt.

A score of persons were more or less injured by smoke and shock or otherwise last night when the Bronx Park branch of the subway filled with smoke just north of the tube underneath the Harlem River and two southbound trains co' lided in the Mott avenue station at the MIDDLETOWN, N. Y., June 1.-The moment that a northbound train was Freasury Department officials at Wash- discharging a load of panie stricken pasington will shortly receive a porous sengers. The most serious injuries were plaster for which they will be asked to received when the passangers from two received when the passengers from two trains tried to get to the surface at the Mott avenue station, which is sixty-five some bills lying on top of a dresser. He Mott avenue station, which is sixty-five had a lame back and asked his wife to feet above the tracks, in the same elevator. prepare a porous plaster. She did so, The smoke came from a blaze in the pumping station that keeps the tube

clear of water from a spring.

Albert Buffington, a guard on the scut' The bill was missed and servants were bound train that was discharging pa suspected of having stolen it. The sengers at the same time that one from whole household worried over the matter the north was ridding itself of its smoke until last night the merchant removed his frightened load, was more seriously bu t than anyone else. He was on the ran not be removed without tearing it to car and stood on the back platform trypieces. The merchant will send the ing to flag the train that he knew much plaster to the Treasury Department for be approaching from the north. The density of the smoke prevented the motorman of the oncoming train from sceing him and the train hit Buffington's train with a violent impact.

The shock threw Buffing ton clear of both trains and onto the narrow space between the north and south tracks without passing any bill concerning The vestibule of the steel car where he stood was crushed out of shape and the rear of the car ahead of his, which was of wood, was splintered. Windows of both cars were nearly all put out. The motorman of the colliding train was knocked from his perch but escaped with slight injuries.

After the excitement was over some ne thought of looking for Buffington. Tells Divorced Couple That Church Still He was finally found groping his way along the side of the tunnel with a deer gash on his head which was thought might involve a fracture of the skull.

On the west side of the aubway about ,000 feet south of the Mott avenue sta-This morning the couple got a marriage tion and about 500 feet from the entrance cense at the City Hall and applied to to the tube under the Harlem River is to retie the severed knot. The priest from the tracks, in which a pump is kcot was unnecessary. The Catholic Church, a nearby spring out of the tunnel. The he said, still recognized them as man and room is encased with timber, the boards wife in spite of the court decree. He being a few inches apart. The wooden

At about 11 o'clock the motor in the pump room blew out and communicated a blaze to the boards. In a short time the casing was blazing briskly and a lack smoke was pouring out of the oil one time in Richard Mansfield's com- York as a chorus girl. Her husband fol- fed fire. In a jiffy the strong draught lowed and finally succeeded in winning through the tunnel had drawn the smoke through the river tube and it was im-

possible to see there. Shortly before the smoke began to get thickest a northbound train left the 135th street station and started for the tube and the Mott avenue station beyond it As it peared 142d street, where the Lenox avenue division of the subway branches off to the 145th street station, the first clouds of smoke struck the train. The motorman didn't know what was causing the smoke, but he did know that another train was not far behind him and he

kept on. The smoke grew thicker all the time and the passengers, many of them on their way home from the theatre, became panic stricken. Men did the best they Report That Site at Thirty-fifth and could to calm the women but when the train left the tube and got near the burn-It was reported in real estate circles ing pump room the smoke increased. yesterday that the easterly half of the Finally the motorman got his train to

By that time he was pulling a badly

There are no subway employees to be chased more than one-half of the prop- office is near the street. For that reason erty and on the rest had secured options, the employees there didn't know about The property measures 200 feet on the smoke until John Reisler of 888 Hewitt Broadway, 423 feet on Thirty-fifth street avenue, to had been on the train and and 356 feet on Thirty-sixth street. On was the first one off, ran up to the elevator the Broadway frontage is the Herald just as D'Albert Cummings, the negro

"Get all the people up in one lead that you can right away." Reisler said.

Cummings kept his senses and when he thought he had enough people aboard he ran his car up to the street, assuring day Mr. Johnson refused to discuss the the others that there was no danger. Reisler ran out and pulled the first fire pothing about selling this property and box he saw and told a policeman to call for ambulances. The elevator man ran his car down about fifteen times before he about the property in the last few years. got all the persons from the northbound

train. The northbound train was about empties when a southbound train in charge of John Montgomery pulled in and came to a standstill. It didn't carry as many passengers as the other train, but those on it were in a hurry to get off. They had to step up about a dozen feet and walk across a platform over the north track before they could reach the elevator The smoke was so dense at that time that those in the tunnel breathed with diffi

It was just at that time that Guard Buffington on the rear of the northbound train put himself in readiness to flag the train that he knew was not far behind Sergt. John W. Toomey of the same precinct absent from patrol duty and in a stable at 342 West Thirty-eighth street in the early morning of the same day.

"Charges have been made against both of them for dismissal from the force."

"They got off in good order." another. They got off in good order

after the excitement had subsided.

The firemen in charge of Deputy Chie Abeara got at the blazing pump room a soon as they reached the station and oon had the fire out. The smoke cloud ecattered quickly when the cause was

wined out. The last car of the first train was of steel. The collision merely bent the vestibules of this a little. The next car to the last was of wood and this car was badly splintered. The glass windows

GREAT BEAR SPRING WATER